



Case Docket No. _____

"PATENT"

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

POLYOLEFIN MICROPOROUS BREATHABLE FILM HAVING IMPROVED TEAR, IMPACT STRENGTH, AND SOFTNESS AND METHOD OF MAKING SAME

the specification of which is attached hereto unless the following box is checked:

☒ was filed on October 14, 1999 as Application Serial No. 09/418,237.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate(s), or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application(s) for patent or inventor's certificate(s), or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Foreign Application(s) Priority Claimed

_____	_____	_____	[]	[]
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under 35 U.S.C. § 119(e)(1)-(2) of any United States provisional application(s) listed below.

60,104,455 filed October 16, 1998

60,104,948 filed October 20, 1998

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or §365(c) of any PCT International application designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed

in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application Serial No.)

(Filing Date)

(Status – patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status – patented, pending, abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

NAMES

Douglas H. Elliott
B. Todd Patterson
Keith M. Tackett
William G. Muller

REGISTRATION NUMBERS

32,982
37,906
32,008
32,281

**SEND CORRESPONDENCE TO:
TO:**

Douglas H. Elliott
Thomason, Moser, Patterson
3040 Post Oak Blvd., Suite 1500
Houston, Texas 77056

DIRECT TELEPHONE CALLS

(Name and Telephone Number)
Douglas H. Elliott

(713) 623-4844
Facsimile No. (713) 6233-4846

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF INVENTOR	LAST NAME Mackay	FIRST NAME John	MIDDLE NAME H.	
RESIDENCE & CITIZENSHIP	CITY Lake Zurich	STATE OR FOREIGN COUNTRY Illinois	COUNTRY OF CITIZENSHIP USA	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 910 Bristol Trail Road	CITY Lake Zurich	STATE OR COUNTRY Illinois	ZIP CODE 60047

Inventor's signature

John D. Mackay

Date

2/7/2000